



**DEPARTMENT OF COMMERCE**

**Billing Code 3510-22-P**

**National Oceanic and Atmospheric Administration**

**Submission for OMB Review; Comment Request; Statement of Financial Interests,**

**Regional Fishery Management Councils**

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), on or after the date of publication of this notice. The public is invited to submit comments on this request.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website [www.reginfo.gov/public/do/PRAMain](https://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review - Open for Public Comments" or by using the search function and entering either the title of the collection or the OMB Control Number 0694-0192.

**FOR FURTHER INFORMATION CONTACT:** Copies of this submission may be obtained from Adrienne Thomas, PRA Officer, NOAA, 151 Patton Avenue, Room 159, Asheville, NC 28801 or viewing the entire information collection request at [www.reginfo.gov](https://www.reginfo.gov).

**SUPPLEMENTARY INFORMATION:** Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and

assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Statement of Financial Interests, Regional Fishery Management Councils

*OMB Control Number:* 0648–0192.

*Form Number(s):* NOAA 88–195

*Type of Request:* Regular (revision and extension of a currently approved information collection)

*Number of Respondents:* 330

*Average Hours Per Response:* 45 minutes.

*Burden Hours:* 248 hours

*Needs and Uses:* This request is for revision and extension of a current information collection. The Magnuson Stevens Fishery Conservation and Management Act (Magnuson Stevens Act) authorizes the establishment of Regional Fishery Management Councils to exercise sound judgment in the stewardship of fishery resources through the preparation, monitoring, and revision of such fishery management plans under circumstances (a) which will enable the States, the fishing industry, consumers, environmental organizations, and other interested persons to participate in the development of such plans, and (b) which take into account the social and economic needs of fishermen and dependent communities. Section 302(j) of the Magnuson Stevens Act requires that Council members appointed by the Secretary, Scientific and Statistical

Committee (SSC) members appointed by a Council under Section 302(g)(1), or individuals nominated by the Governor of a State for possible appointment as a Council member, disclose their financial interest in any Council fishery. These interests include any harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be, undertaken within any fishery over which the Council concerned has jurisdiction, or with respect to an individual or organization with a financial interest in such activity. The authority to require this information and reporting and filing requirements has not changed. The Secretary is required to submit an annual report to Congress on action taken by the Secretary and the Councils to implement the disclosure of financial interest and recusal requirements, including identification of any conflict of interest problems with respect to the Councils and SSCs and recommendations for addressing any such problems.

The Act further provides that a member shall not vote on a Council decision that would have a significant and predictable effect on a financial interest if there is a close causal link between the Council decision and an expected and substantially disproportionate benefit to the financial interest of the affected individual relative to the financial interest of other participants in the same gear type or sector of the fishery. However, an affected individual who is declared ineligible to vote on a Council action may participate in Council deliberations relating to the decision after notifying the Council of his/her recusal and identifying the financial interest that would be affected. The form has been revised to increase clarity for the respondents; NOAA Fisheries is making minor revisions to the form by adding clearer instructions and clarifying some of the questions asked to ensure the questions are consistent with the regulatory requirements. Revisions will also include a specific check box to indicate that a Council

nominee, and not a member, is completing the form. No new information is being requested.

*Affected Public:* Individuals or households.

*Frequency:* Annually or updated as needed.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* Section 302(j) of the Magnuson-Stevens Act

Dated: March 17, 2020.

**Sheleen Dumas,**

*Department PRA Clearance Officer,*

*Office of the Chief Information Officer,*

*Commerce Department.*

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